

STAYED,TYPE I-FOIA

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-02800-TSC**

HYATT v. UNITED STATES PATENT AND TRADEMARK
OFFICE

Assigned to: Judge Tanya S. Chutkan
Cause: 05:552 Freedom of Information Act

Date Filed: 11/30/2018

Jury Demand: None

Nature of Suit: 895 Freedom of
Information Act

Jurisdiction: U.S. Government Defendant

Plaintiff

GILBERT P. HYATT

represented by **Andrew M. Grossman**
BAKER & HOSTETLER LLP
1050 Connecticut Avenue, NW
Suite 1100
Washington, DC 20036
(202) 861-1697
Fax: (202) 861-1783
Email: agrossman@bakerlaw.com
ATTORNEY TO BE NOTICED

Mark Wendell DeLaquil
BAKER & HOSTETLER, LLP
1050 Connecticut Avenue, NW
Suite 1100
Washington, DC 20036
(202) 861-1527
Fax: (202) 861-1783
Email: mdelaquil@bakerlaw.com
ATTORNEY TO BE NOTICED

V.

Defendant

**UNITED STATES PATENT AND
TRADEMARK OFFICE**

represented by **Jason Todd Cohen**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2523
Fax: (202) 252-2599
Email: jason.cohen@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Doris Denise Coles-Huff
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2557
Fax: (202) 252-2599
Email: doris.coles@usdoj.gov
TERMINATED: 02/05/2019

Date Filed	#	Docket Text
11/30/2018	<u>1</u>	COMPLAINT against UNITED STATES PATENT AND TRADEMARK OFFICE (Filing fee \$ 400) filed by GILBERT P. HYATT. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Exhibit Exhibit A, # <u>6</u> Exhibit Exhibit

		B, # <u>7</u> Exhibit Exhibit C, # <u>8</u> Exhibit Exhibit D, # <u>9</u> Exhibit Exhibit E, # <u>10</u> Exhibit Exhibit F, # <u>11</u> Exhibit Exhibit G, # <u>12</u> Exhibit Exhibit H – One, # <u>13</u> Exhibit Exhibit H – Two, # <u>14</u> Exhibit Exhibit I, # <u>15</u> Exhibit Exhibit J)(DeLaquil, Mark) (Entered: 11/30/2018)
11/30/2018		Case Assigned to Judge Tanya S. Chutkan. (zef,) (Entered: 12/03/2018)
12/03/2018	<u>2</u>	Payment for <u>1</u> Complaint,.. (\$400; Receipt number 0090–5818591). (DeLaquil, Mark) (Entered: 12/03/2018)
12/03/2018	<u>3</u>	SUMMONS (3) Issued Electronically as to All Defendants, U.S. Attorney and U.S. Attorney General. (Attachments: # <u>1</u> Notice and Consent)(zef,) (Entered: 12/03/2018)
12/03/2018	<u>4</u>	SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by GILBERT P. HYATT (This document is SEALED and only available to authorized persons.) (Attachments: # <u>1</u> Exhibit, # <u>2</u> Text of Proposed Order)(DeLaquil, Mark) (Entered: 12/03/2018)
12/03/2018	<u>5</u>	MOTION for Summary Judgment by GILBERT P. HYATT (Attachments: # <u>1</u> Declaration, # <u>2</u> Statement of Facts, # <u>3</u> Text of Proposed Order)(DeLaquil, Mark) (Entered: 12/03/2018)
12/03/2018		MINUTE ORDER: Plaintiff's motion for summary judgment <u>5</u> is hereby DENIED without prejudice. Plaintiff's brief does not appear to comply with Local Civil Rule 5.1(d). Additionally, the court finds the motion premature. Once the Defendant has entered an appearance, the court will issue a case management order. Signed by Judge Tanya S. Chutkan on 12/3/18. (DJS) (Entered: 12/03/2018)
12/04/2018		MINUTE ORDER: Denying as moot <u>4</u> Plaintiff's Motion for Leave to File Documents Under Seal. See 12/3/18 Minute Order.SO ORDERED – by Judge Tanya S. Chutkan on 12/03/18. (tb) (Entered: 12/04/2018)
12/13/2018	<u>6</u>	ENTERED IN ERROR. . . .RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES PATENT AND TRADEMARK OFFICE served on 12/6/2018 (DeLaquil, Mark) Modified on 12/18/2018 (ztd). (Entered: 12/13/2018)
12/13/2018	<u>7</u>	ENTERED IN ERROR. . . .RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 12/10/2018. Answer due for ALL FEDERAL DEFENDANTS by 1/9/2019. (DeLaquil, Mark) Modified on 12/18/2018 (ztd). (Entered: 12/13/2018)
12/13/2018	<u>8</u>	ENTERED IN ERROR. . . .RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 12/7/18. (DeLaquil, Mark) Modified on 12/18/2018 (ztd). (Entered: 12/13/2018)
12/13/2018	<u>9</u>	NOTICE of Appearance by Andrew M. Grossman on behalf of GILBERT P. HYATT (Grossman, Andrew) (Entered: 12/13/2018)
12/13/2018	<u>10</u>	CERTIFICATE OF SERVICE by GILBERT P. HYATT re <u>1</u> Complaint,.. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Certificate of Service)(ztd) (Entered: 12/18/2018)
12/18/2018		NOTICE OF ERROR re <u>6</u> Summons Returned Executed as to Federal Defendant; emailed to mdelaquil@bakerlaw.com, cc'd 2 associated attorneys — The PDF file you docketed contained errors: 1. Please refile document, 2. Refile documents with the documentation indicating the actual dates that service was made. (ztd,) (Entered: 12/18/2018)
12/18/2018		NOTICE OF ERROR re <u>7</u> Summons Returned Executed in FOIA as to U.S. Attorney; emailed to mdelaquil@bakerlaw.com, cc'd 2 associated attorneys — The PDF file you docketed contained errors: 1. Please refile document, 2. Refile documents with the documentation indicating the actual dates that service was made. (ztd,) (Entered: 12/18/2018)
12/18/2018		NOTICE OF ERROR re <u>8</u> Summons Returned Executed as to U.S. Attorney General; emailed to mdelaquil@bakerlaw.com, cc'd 2 associated attorneys — The PDF file you docketed contained errors: 1. Please refile document, 2. Refile documents with the

		documentation indicating the actual dates that service was made. (ztd,) (Entered: 12/18/2018)
12/18/2018	<u>11</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on 12/6/18 as to United States Patent and Trademark Office. (DeLaquil, Mark) Modified text on 12/18/2018 (ztd). (Entered: 12/18/2018)
12/18/2018	<u>12</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 12/10/2018. Answer due for ALL FEDERAL DEFENDANTS by 1/9/2019. (DeLaquil, Mark) (Entered: 12/18/2018)
12/18/2018	<u>13</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 12/7/2018. (DeLaquil, Mark) (Entered: 12/18/2018)
01/08/2019	<u>14</u>	MOTION to Stay by UNITED STATES PATENT AND TRADEMARK OFFICE (Attachments: # <u>1</u> Text of Proposed Order)(Coles–Huff, Doris) (Entered: 01/08/2019)
01/16/2019		MINUTE ORDER: Granting <u>14</u> Unopposed Motion to Stay. All deadlines are hereby STAYED. Defendant's counsel shall notify the court promptly after Congress has appropriated funds for the Justice Department. It is further ordered that all current deadlines for the parties shall be extended commensurate with the duration of the lapse in appropriations. Signed by Judge Tanya S. Chutkan on 1/16/19. (DJS) (Entered: 01/16/2019)
02/05/2019	<u>15</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Jason Todd Cohen on behalf of UNITED STATES PATENT AND TRADEMARK OFFICE Substituting for attorney Doris Denise Coles–Huff (Cohen, Jason) (Entered: 02/05/2019)
02/05/2019	<u>16</u>	NOTICE of Restored Government Funding by UNITED STATES PATENT AND TRADEMARK OFFICE (Cohen, Jason) (Entered: 02/05/2019)
02/13/2019	<u>17</u>	ANSWER to Complaint by UNITED STATES PATENT AND TRADEMARK OFFICE.(Cohen, Jason) (Entered: 02/13/2019)